IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

**THE HON'BLE MR JUSTICE N.V. RAMANA**

**WRIT PETITION NO : 26452 of 1996**

**DATED: 12.12.2006**

**Between:**
Mittapalli Ganesh PETITIONER

And

The Branch Manager, State Bank of India
Madaram,. Khammam dist and another Respondents

THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO. 26452 OF 1996

ORAL ORDER:

This writ petition is filed seeking regularization of the services of the petitioner as sweeper-cum-water boy on permanent basis.

As none appeared for the petitioner, the matter was passed over and again taken up, however, there is no representation for petitioner.

Learned Standing Counsel for respondent bank submitted that the petitioner seeks regularization of his services and the same cannot be gone into by this Court in view of the judgment of the Apex Court in ***Steel Authority of India Ltd Vs. National Union Water Front Workers***[1]

In "***Steel Authority*** case, it was observed by the apex Court that the determination of question as to whether the contract of employment of labour is a genuine one or a mere ruse/camouflage to evade the provisions of beneficial labour legislation, requires inquiry into disputed questions of facts which cannot conveniently be made by High Courts in exercise of jurisdiction under Article 226 of the Constitution, and the appropriate authority to go into those issues will be industrial Tribunal/Court whose determination will be amenable to judicial review. Hence, this Court, in exercise of jurisdiction under Article 226 of the Constitution, cannot go into the disputed questions of

fact and grant any relief to the petitioner and the appropriate authority to go into those issues will be the Industrial Tribunal.

In the circumstances, the writ petition is dismissed granting liberty to the petitioner to approach the Labour Court for redressal of his grievance. No costs.

**N.V.RAMANA, J.**

Date: 12.12. 2006

-
-
-

**THE HON'BLE MR JUSTICE N.V. RAMANA**

**WRIT PETITION NO : 26452 of 1996**

**DATED: 12.12.2006**

---

[1] 2001 (6) ALD 1 (SC)